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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

GERMAN ANTONIO LOPEZ-VELASQUEZ,
MARKO ANTONIO LOPEZ, and
LISA MARIE SANTOS,

Defendants.

CASE NO. 1:22-CR-00208-JLT-SKO

JOINT STATUS REPORT AND STIPULATION
REGARDING EXCLUDABLE TIME PERIODS
UNDER SPEEDY TRIAL ACT; ORDER

DATE: November 15, 2023
TIME: 1:00 p.m.
COURT: Hon. Sheila K. Oberto

This case is set for status conference November 15, 2023. As set forth below, the parties now move, by stipulation, to set the case for jury trial (estimate 2 weeks) on May 21, 2024 and to exclude the time period between November 15, 2023 and May 21, 2024 under the Speedy Trial Act. The parties also ask that the November 15, 2023 status conference be vacated.

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status conference on November 15, 2023.
2. By this stipulation, the parties now move to set a jury trial for May 21, 2024, and to exclude time between November 15, 2023 and May 21, 2024 under Local Code T4. The parties also ask that the November 15, 2023 status conference be vacated.

3. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case is voluminous and includes many thousands of pages of documents, financial records, witness interviews, investigative reports, and other evidence. This is a large scale financial fraud case. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.

b) Counsel for defendant desires additional time to consult with his/her client, review the charges, conduct investigation and research, review discovery, discuss potential resolution of the case, and prepare for trial. Since the last status conference, the parties have been negotiating legal issues relating to the “loss” calculation in the case. Such issues may materially affect sentencing.

c) Counsel for defendant believes that failure to grant the above-requested continuance would deny him/her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government joins the request.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of November 15, 2023 to May 21, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant’s request on the basis of the Court’s finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: November 7, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ JEFFREY A. SPIVAK
JEFFREY A. SPIVAK
Assistant United States Attorney

Dated: November 7, 2023

/s/ Ryan Roth
Ryan Roth
Counsel for Defendant German
Lopez

Dated: November 7, 2023

/s/ Scott Quinlan
W. Scott Quinlan
Counsel for Defendant Marko Lopez

Dated: November 7, 2023

/s/ Edward Robinson
Edward M. Robinson
Counsel for Defendant Lisa Santos

ORDER

IT IS SO ORDERED.

DATED: 11/8/2023

Sheila K. Oberto
HON. SHEILA K. OBERTO
UNITED STATES MAGISTRATE JUDGE